



Entered on Docket
February 24, 2010

A handwritten signature in black ink, appearing to read "Michael S. McManus".

Hon. Michael S. McManus
United States Bankruptcy Judge

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Attorney for Debtor(s)

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
CLARENCE ROBINSON JR., and
TERESA J. ROBINSON,
Debtors

Case No. BK-N-09-53065

Chapter 13

ORDER VALUING COLLATERAL

Hearing date: 2/12/10

Hearing Time: 2:00 p.m.

Debtors *Motion for Order Valuing Collateral* described as the Debtor's primary residence located at 4690 Alder Drive, Reno, Washoe County, Nevada (the "Property") came

1 before the Court this day. The Court having reviewed the Motion and the exhibits attached
2 thereto and having determined that notice of the motion has been provided in the manner
3 according to law; that a LIMITED RESPONSE TO DEBTOR'S MOTON has been filed; that
4 the Creditor, Debtor and the Chapter 13 Trustee have stipulated to an Order entering upon the
5 Debtors' Motion, and **GOOD CAUSE APPEARING, IT IS HEREBY ORDERED** as follows:

- 6 1. That the Debtor(s)' Real property at 4690 Alder Drive, Reno, Nevada and more
7 particularly described in Exhibit "6" to the motion as:

8 LOT 1, IN BLOCK F, OF SMITHRIDGE PARK SUBDIVISION NO. 2, ACCORDING TO
9 THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF
10 WASHOE COUNTY, STATE OF NEVADA, ON AUGUST 22, 1962

11 APN 025-073-11

12 be and hereby is valued at \$140,000.00.

- 13
14 2. That the proof of claim filed by LITTON LOAN SERVICING, AS SERVICING
15 AGENT FOR DEUTSCH BANK NATIONAL TRUST COMPANY is hereby
16 deemed a non-priority general unsecured claim and shall be paid as such in
17 accordance with the Debtors' Plan.

- 18
19 3. That the lien of LITTON LOAN SERVICING, AS SERVICING AGENT FOR
20 DEUTSCH BANK NATIONAL TRUST COMPANY as the second deed of trust
21 set forth in the proof of claim be "stripped" from the Property of the Debtors as
22 allowed by law contingent upon the Debtors' completion of the Chapter 13 plan and
23 the Debtors' receipt of a Chapter 13 Discharge.

- 24
25 4. That the Creditor, LITTON LOAN SERVICING, AS SERVICING AGENT FOR
26 DEUTSCH BANK NATIONAL TRUST COMPANY shall retain its lien for the
27 full amount due under the subject loan should the subject property be sold or should
28 a refinance take place prior to Plan completion and entry of a Discharge.

- 1 5. That the Creditor, LITTON LOAN SERVICING, AS SERVICING AGENT FOR
2 DEUTSCH BANK NATIONAL TRUST COMPANY shall retain its lien for the
3 full amount due under the subject loan in the event of either the dismissal of the
4 Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any
5 other Chapter under the United States Bankruptcy Code.
6
7 6. That in the event that any entity, including the holder of the first lien on the Subject
8 Property, forecloses on its security interest and extinguishes Creditor's lien prior to
9 the Debtor's completion of the Chapter 13 Plan and receipt of a Chapter 13
10 discharge, the Creditor's lien of LITTON LOAN SERVICING, AS SERVICING
11 AGENT FOR DEUTSCH BANK NATIONAL TRUST COMPANY shall attach to
12 the surplus proceeds of the foreclosure sale for the full amount of the subject loan
13 balance at the time of the sale.
14

15 SUBMITTED BY:

16 /S/ RODNEY E. SUMPTER, ESQ.

17 RODNEY E. SUMPTER, ESQ.

18 Attorney for Debtor(s)

19 STIPULATED AND APPROVED:

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24 Approved/Disapproved:

25
26 WILLIAM A. VAN METER, ESQ.

27 Chapter 13 Trustee

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robinson/order on motion to value